

REMARKS

Claims 1-20 were submitted for examination. Claims 1-20 stand rejected. Claims 1, 6, 11 and 17 have been amended. In view of the amendments and following remarks, Applicants submits that all rejections have been overcome and that all claims remaining in the case are in condition for allowance.

Rejection under 35 U.S.C. § 102 (e)

Claim 1 stands rejected under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent No. 6,473,789 B1 to Chen et al. ("Chen '789"). However, The Office Action fails to present a prima facie case of anticipation for Claim 1. "[F]or anticipation under 35 U.S.C. 102, the reference must teach *every aspect* of the claimed invention ..." MPEP 706.02 (emphasis added). "The identical invention must be shown *in as complete detail as contained in the ... claim.*" *Richardson v., Suzuki Motor Co.*, 868 F. 2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). The cited portion of Chen '789 simply fails to disclose every aspect of the claimed invention. The Examiner has failed to meet his burden.

The Office Action asserts that Chen '789 discloses, at Col. 2, lines 49 – 58, that a first computer "executes its own software" and a that second computer "executes its own software". (Office Action, para. 3, p. 2). The Office Action maintains that the cited portions of Col. 2 of the Chen '789 reference therefore read on Applicant's recited claim

elements of “a first computer ... to execute a first set of instructions” and “a second computer ... to execute a second set of instructions.” (Claim 1, in part).

The cited portion of Chen ‘789 does not disclose a first or second set of instructions. The cited portion of Chen ‘789 discloses that a notebook computer and a desktop computer each includes a CPU, a host bus, a PCI bus, a bridge, a main memory unit, and a cache memory unit. No set of instructions is disclosed, much less first and second sets of instructions.

Claim 1 is allowable for at least this reason. Claims 2-10, which depend from Claim 1, are also allowable for at least this reason.

Claim 1, as amended, is further allowable because the Office Action does not make a prima facie showing of anticipation regarding a “hinged docking connector.” The basis for this amendment is found at paragraph 18 of the Application. Chen ‘789 does not disclose, suggest, nor teach that its computer coupling device may be hinged. Accordingly, Claim 1 is allowable for at least this reason. Claims 2-10, which depend from Claim 1, are also allowable for at least this reason.

Rejections under 35 U.S.C. § 103 (e)

Claims 2-5. Claim 2 stands rejected under 35 U.S.C. 103 (a) as being obvious over by Chen ‘789 in view of U.S. Patent No. 6,463,142 B1 to Kilp (“Kilp ‘142”). Applicant traverses such rejection on several grounds. First, the Kilp ‘142 reference is

not analogous art. Second, the Office Action does not state a proper motivation to combine the references. Third, Chen '789 teaches away from such combination.

The Kilp '142 reference is not analogous art. Kilp '142 is addressed to a messaging system that provides automatic proxy services for routing messages. (Kilp '142, Col. 6, lines 48 – 55). Kilp '142 is not directed to a computing system, as claimed by Applicant, which includes a first computer and a second computer “wherein said first computer and said second computer operate together as a multiprocessor computer system when said first computer and said second computer are mated.” (Claim 1, in part). Kilp '142 and the Applicant address themselves to solving different problems. Kilp '142 is therefore not relevant to consideration of obviousness for Claim 1.

Further, the Office Action has not provided an adequate statement of motivation to combine the Chen '789 and Kilp '142 references. There must be some objective reason to modify the teaching of the reference. See MPEP § 2143.01. The Office Action asserts that it would have been obvious at the time the invention was made to combine the teachings of Kilp '142 and Chen '789 “for the advantage of providing automatic proxy services for routing data messages”. (Office Action, para. 5, pp. 3-4). Applicant must disagree. The Application does not even mention the providing of automatic proxy services. The mere fact that a reference can be modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. The Office Action has thus failed to provide a proper motivation to combine the Chen '789 and Kilp '142 references.

Indeed, Chen itself '789 teaches away from a combination with Kilp '142. Kilp '142 discloses a stationary unit that communicates with a mobile unit over a communication link. (Kilp '142, Col. 3, lines 21-23). The stationary unit is coupled to a communication network (Kilp '142, Col. 3, lines 31-32) and communicates with a proxy server over the communication network. The mobile unit communicates with the proxy server through the communication network in conjunction with a WAN transmitter. Kilp '142 discloses merely that the link between the stationary and mobile units is to inform a status indicator that specifies whether or not the mobile unit is in close proximity to the stationary unit. (Kilp '142, Col. 4, lines 23-42). All messages to the stationary and mobile units originate with the proxy server. Accordingly, Kilp '142 discloses a communication system wherein all messages to the stationary and mobile units are routed through a network entity – the proxy server.

Chen '789 expressly states that linking both a notebook and desktop computer to a network hub has several drawbacks, including unsatisfactorily low data exchange and inability to allow the respective CPU's of the two computers to be combined for parallel processing. (Chen '789, Background) Accordingly, a person of ordinary skill, upon reading the Chen '789 reference, would be led away from the teachings of the Kilp '142 reference.

Claim 2 is allowable for at least these reasons. Claim 2, which depends from Claim 1, is also allowable for at least the reasons discussed above in connection with Claim 1. Claims 3-10, which depend from Claim 2, are also allowable for at least these reasons.

Claims 6-10. Claim 6, as well as claims 7-10, which depend from Claim 6, stand rejected under 35 U.S.C. 103 (a) as being obvious over Chen ‘789 in view of Kilp ‘142 and in further view of U.S. Pat. No. 6,157,958 to Armitage et al. (“Armitage ‘958”). Applicant traverses the rejection because the Office Action has failed to make a prima facie case of obviousness regarding such claims.

Claim 6 has been amended. A basis for the amendment to Claim 6 is provided at least at paragraphs 14 and 15 of the Application.

The Office Action admits that Chen ‘789 and Kilp ‘142 together fail to disclose “wherein said first computer is a base computer that can independently operate as a server, said base computer to serve as a bottom half of a notebook computer system.” Applicant agrees. However, Applicant disagrees with the Office Action’s assertion that Armitage ‘958 discloses such claim element.

Armitage ‘958 discloses an encased computer system and a weight-supporting base unit. (Armitage ‘958, Abstract). The weight-supporting base unit of Armitage ‘958 is not disclosed as a full feature computer and therefore cannot operate as a functional server. Instead, Armitage ‘958 discloses only that the base unit includes logic to perform wireless communications with a tablet computer and to perform communications with a communications network. (Armitage ‘958, Col. 9, lines 15-35; Fig. 4). Nowhere does Armitage ‘958 disclose, teach nor suggest that the base unit can operate as a functional server.

The Office Action has therefore failed to make out a prima facie case of obviousness for Claim 6. In addition to the reasons stated above for Claims 1 and Claims

2-5, Claim 6 is additionally allowable for this reason. Claims 7 through 10, which depend from Claim 6, are also allowable for at least this additional reason.

Claims 11-15 and 17-19. Independent Claim 11, as well as dependent claims 12-15 and 17-19, which depend from Claim 11, stand rejected under 35 U.S.C. 103 (a) as being obvious Armitage '958 in view of Chen '789. Applicant traverses such rejection on several grounds.

Claim 11 has been amended to indicate that the base computer module comprises "an integral keyboard." A basis for such amendment is found at least at paragraph 19 of the Application ("... a keyboard module **218** are *in* the bottom portion **201** of the system **200**") (emphasis added). Support for the amendment is also found at least in original Claim 5 (which forms part of the original specification), which states that "said first computer further comprises a keyboard *mounted within* said first case" (emphasis added).

In contrast, the base unit of Armitage '958 does not include an integral keyboard, but merely includes a drawer guide to receive a separate keyboard. (See Armitage '958, Abstract and Fig. 5). Accordingly, Armitage '958 does not suggest, disclose, nor teach an integral keyboard.

The Office Action has also failed to make out a prima facie showing of obviousness regarding the "in a clamshell configuration" limitation of Claim 11. (A basis for such amendment to Claim 11 is set forth above in connection with the discussion of Claim 6.)

The Office Action has also failed to provide a proper motivation to combine the cited references. Armitage '958 is directed toward creating a modular computer to be accepted as a home appliance. Applicant teaches away from the type of system disclosed in Armitage '958, stating that "when the notebook is disconnected from the docking station, all of the functions and capabilities of the docking base are no longer available to the notebook."

The Office Action has thus failed to make out a prima facie case of obviousness regarding Claim 11, and Claim 11 is allowable for at least this reason. Claims 12-16, which depend from Claim 11, are also allowable for at least this reason.

Claim 17.

Claim 17 has been amended. At least one basis for the amendment may be found at the first sentence of paragraph 22 of the Application. At least one other basis for the amendment may also be found at the first sentence of paragraph 13 of the Application.

None of the cited references, either alone or in combination, disclose, teach or suggest "said first and second computing units designed to mate together to form a singular combined computing unit to form a mobile notebook computer." Claim 17 is allowable for at least this reason. In addition, Claims 18 - 20, which depend from Claim 17, are also allowable for at least this reason.

Applicant respectfully submits that the applicable rejections have been overcome and that all rejections must be withdrawn. Accordingly, all independent claims are in condition for allowance. For at least the foregoing reasons, all dependent claims are also in condition for allowance.

If the Examiner believes that a telephone conference will speed allowance of this case, he is invited to contact Shireen Bacon, Reg. No. 40,494, at (512) 732-3917.

Please charge any shortages and credit any overcharges to our Deposit Account No. 02-2666.

Respectfully submitted,

Dated: January 6, 2005



Gregory D. Caldwell
Registration No. 39,926

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300